



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

CRS

Docket No: 1249-00

29 June 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 20 June 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy on 1 April 1992 at age 19. On 6 September 1996 you reenlisted for three years and later extended for four months on 1 July 1999. Subsequently, on 5 January 2000 you were honorably discharged by reason of expiration of term of service. At that time you were assigned a reenlistment code of RE-R1. Your discharge was voluntary with a separation code of "KBK".

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your contention that you were forced out of the Navy since you could not find anyone to care for your three old daughter in case of deployment. Because of this, you believe that your separation should be changed to involuntary and that you should receive separation pay. However, the Board concluded that this contention was insufficient to warrant changing your separation code, reason for discharge, or reenlistment code. In this regard, there is no evidence in your record that supports your contention that you should have been involuntary discharged. While the Board noted the evidence that

you submitted, it was insufficient without supporting documentation from your command and others outside of your command. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director